

## **“Liberty in things doubtful or indifferent”<sup>1</sup>: Sources and Expressions of Anglican Toleration in the American Colonies**

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Thank you for the introduction Dr. Bardot, and “thank you” to my colleagues on the philosophy faculty here at Lincoln University. I’m glad to be here, taking part in the conference today. Not long before Dr. Ballard and I had our first conversation about this conference, I had already begun reading and thinking about some individuals whom I believe have something to say to us today. These individuals lived long ago, at the beginning of our nation’s existence, so my paper is historical. But these individuals thought about and wrote about toleration and freedom of religious conscience as theologians and philosophers. So their lives and ideas can launch our conversations today about these values and practices. See what you think.

### **Four Claims**

Allow me to begin with four summary statements, and then to move to closer examinations of each one. First, Anglican clergymen and laymen living in the British colonies of North America during the eighteenth century drew from the same pool of sources when they thought, wrote, and preached about toleration and freedom of religious conscience. One of those sources was a Reformation text, composed long before the eighteenth century. It is primarily theological, although it raises and engages a host of temporal subjects throughout its chapters and books. This first source is *Concerning the Laws of Ecclesiastical Polity*, written by Richard Hooker. A second source was written later, and it is very much an Enlightenment text. It contains theological claims, and parts of it rest on theological assumptions, but it’s essentially a philosophical text. This second text is *A Letter Concerning Toleration* written by John Locke.

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<sup>1</sup> From Archbishop Edward White Benson’s letter to the bishops of the [Anglican] Communion, July 28, 1888 (*Lambeth Conferences*, 10).

Hooker's *Laws* and Locke's *Letter* were important sources for Anglican clergymen and laymen in North America just when some political hotheads drug their communities into an extended and costly and violent war for independence. Toleration and freedom of religious conscience were critical concerns for these men, life and death issues as they waged a war of independence and founded a new republic. In a time of personal and national crisis they drew directly and deeply on Hooker and Locke as they sorted out their convictions about how to live in public and Christian society.

Third, William Stith and Robert Morris were such men who cared deeply about the shape and the future of their religious and public life. Stith and Morris wrote treatises and sermons and letters in which they pondered and then promoted toleration and freedom of religious conscience as values to be embraced and put into practice. My sense is that they represent a larger group of Anglican colonists who drew upon Hooker and Locke and thereby shared the belief that toleration and freedom of religious conscience were godly, reasonable, and good for business. Toleration was for them a practical attitude that issued in policies about and concrete instances of allowing Roman Catholics and Baptists to worship as they pleased. Their practical attitude of toleration was motivated by a more basic conviction that one's inner religious life was in fact and should be free from forceful interference from others. Faith could not and thus should not be coerced. The two generations of Augustan American Anglicans whom Stith and Morris represent had copies of Hooker's *Laws* and Locke's *Letter* in their private libraries, and they saw to it that copies were also in the libraries of their new universities.<sup>2</sup> The ideas and arguments in those

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<sup>2</sup> W. Dackson, "Richard Hooker and American Religious Liberty," *Journal of Church and State* 41.1 (1999): 125. Dackson cites studies of the libraries of individuals and colleges in the colonies/new republic.

books in those libraries shaped and energized the colonists' practical attitudes of toleration and their convictions about the freedom of religious conscience.

Finally, the arguments for toleration and freedom of religious conscience expressed in Hooker's *Laws* and Locke's *Letter*, and (re)articulated in Stith's history of Virginia colony and sermons, and in Morris's letters to business partners and political cronies shaped and motivated the early American Anglican consensus that religious freedom was godly, reasonable, and good for business. It was something else, as well. At the risk of repeating a much-overused term, the consensus was also robust. Yes, I used the term robust.

### **Richard Hooker and the *Laws***

We begin with Richard Hooker who was born in 1554, near Exeter, in southwest England. Hooker studied at Corpus Christi College, Oxford, and he was ordained a priest in the Church of England in 1581. In 1585 he was elected Master of the Temple Church, in London, and at the Temple he did two things that made him famous. First, he debated Walter Travers, a leading Puritan churchman, on the question of whether or not some Roman Catholics could be saved. Hooker argued the affirmative. Hooker also began writing *Concerning the Laws of Ecclesiastical Polity*. He completed five volumes before he died in 1600, and three more volumes were compiled after his death. Together the books of the *Laws* mount a comprehensive and irenic, and thus compelling case for episcopal ecclesiology. Hooker argues that the current practice of the Church of England—its governance by bishops and its use of the Book of Common Prayer—is reasonable, but not divinely mandated. His primary targets of criticism are doctrines about church and salvation that the Puritans claimed were “Biblical” and thus divinely inspired. Hooker disagreed; he believed they were human and thus contingent and open to criticism.

## Toleration and Freedom of Religious Conscience in the *Laws*

Richard Hooker treated the subjects of toleration and freedom of religious conscience indirectly in the *Laws*, and by eloquent silence. In Book III, as he mounts a defense of churches led by bishops, it becomes clear that Hooker considered churches that were not led by bishops to be “deficient” (my term). That sounds fairly anemic to us, but in the 1590s it was scandalously tolerant. Hooker could take that position because he believed that the church created its own structures and rules, not God. He believed God approved of bishops, but he never claimed that God’s approbation was absolute, that it meant episcopal polity was “God’s will” for all churches in all times and places. The upshot of Book III is that the form of church government is a human, and thus a secondary issue. A major implication of that upshot is toleration: Puritans (and Anglicans) should be more tolerant of Roman Catholics and the Baptists, whose church polity is different from their own.

Book VIII of the *Laws* contains an extended apology for the Anglican idea of comprehension. Comprehension was that confusing combination of church and nation that characterized the old Anglican view of how people ought to live together. The view was born in the Middle Ages on the continent, but it was brought to vexing maturity in sixteenth and seventeenth-century Anglicanism. Hooker articulated it this way: “We hold that there is not any man of the Church of England, but the same is also a member of the Commonwealth of England. Nor [is there] any man a member of the Commonwealth which is not also a [member of ] the Church of England.”<sup>3</sup> In this vision of a blended, comprehensive commonwealth, the civil realm and the ecclesial realm are distinct, but not absolutely distinct. Absolute separation would lead to

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<sup>3</sup> Richard Hooker, *Of the Laws of Ecclesiastical Polity*, Bk. VIII, ch. 1, sec. 2; cited in T. Stoermer, “‘An Entire Affection and Attachment to our Excellent Constitution’: The Anglican Political Culture of British Virginia,” *Anglican and Episcopal History* 82 (2013): 263-64.

disastrous results, one being that it would restrict the freedom of ecclesial individuals from having an active voice and role in the governance of civil society.<sup>4</sup> Hooker insisted that comprehension thrives best when each realm tolerates the other. He asserted what is essentially an argument for toleration (of the state for the church) based on comprehension. Locke later did just the opposite. He grounded his argument for toleration on a radical separation of church and state.

Hooker also raised the subject of freedom of religious conscience in Book VIII. In a general discussion of the fundamental nature of laws, he made this rather bold assertion: The laws of men do not compel belief. Laws do not possess the ability to generate convictions, and here's why: "opinions that cleave to the understanding are in the heart assented unto, [and] it is not in the power of any human law to command them, because to prescribe what men think belongeth only to God."<sup>5</sup> Inspiring convictions that the heart assents to, and then judging the heart — that is God's business and God's business alone, so humans have no business seeking to compel belief. Hooker drew out the practical implications of the impotency of laws when it came to the conscience: He declared that the only laws that ought to be made are those that regard outward life and conduct. Inward life cannot be legislated.

### **John Locke and the *Letter***

Now jump ahead in time about seventy-five years, and move about seventy-five miles northeast of where Hooker was born. John Locke was born in 1632, in a village called Wrington. His parents were ardent Puritans, so he was baptized in a Puritan congregation and raised as a

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<sup>4</sup> Hooker, *Of the Laws of Ecclesiastical Polity*, Bk. VIII, ch. 6, sec. 12; cited in W. Dackson, "Richard Hooker and American Religious Liberty," *Journal of Church and State* 41.1 (1999): 122.

<sup>5</sup> Hooker, *Of the Laws of Ecclesiastical Polity*, Bk. VIII, ch. 6, sec. 4.

Puritan. He went to Oxford as Hooker had done, but he entered Christ Church College, which was a Puritan hotbed during the 1650s. But Puritanism did not capture Locke's young imagination. He was more interested in contemporary philosophers like Descartes, in medicine, and in the new experimental philosophy that was all the rage among his contemporaries. In 1666 Locke met the First Earl of Shaftesbury, and he moved into Shaftesbury's home in London and became his personal physician.

### **Toleration and Freedom of Religious Conscience in the *Letter***

Locke's mature thinking about toleration and freedom of religious conscience dates from the time of the Glorious Revolution. In 1685, he wrote a long letter to a friend that we call the *Letter Concerning Toleration*. His friend published the letter in 1689, without Locke's knowledge. That is a true friend. Locke made three basic arguments concerning toleration in the *Letter*. Two were calls for toleration, and the first of them is an interesting contrast to Richard Hooker's argument from comprehension. Drawing on his Puritan roots, Locke insisted that church and state are radically separate. Religion is not the business of the magistrate, and the state is not a proper instrument for saving souls. According to Locke, the state is limited by its temporal and secular purposes, which are the protection of life, liberty, and property. Limited by these narrow purposes, the state has no business coercing religion.<sup>6</sup>

Locke's second argument for toleration was grounded on a different distinction, the distinction between "things necessary for salvation" and "things indifferent." Similar to Hooker, Locke believed the category of "things indifferent" was large, and encompassed a wide range of practices and beliefs that are not prescribed in Holy Scripture. Thus those beliefs and practices are open to human choice and convention. Here's Locke's example: God demands to be

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<sup>6</sup> J. Perry, "Locke's Accidental Church: *The Letter Concerning Toleration* and the Church's Witness to the State," *Journal of Church and State* 47.2 (2005): 274.

worshipped, but God is not unduly prescriptive about the manner of that worship. So to insist that worshippers stand or kneel is to impose human preference rather than divine precept.<sup>7</sup>

Locke's third basic argument calls for freedom of religious conscience, and it is straightforward and similar to Hooker's: Coercion is ineffective. It does not work. According to Locke, coercion cannot achieve its announced goal of bringing people to the conviction that a particular belief is true, because belief is an inward matter, and it follows from faith and persuasion. Belief is a matter of one's conscience, and the conscience cannot be forced.

Near the close of the *Letter*, Locke did exclude atheists and Roman Catholics from toleration. The reason for doing so in both cases was the need to protect civil order. Locke wrote that atheists have no motive for keeping rules because they lack fear of divine punishment. "Promises, covenants, and oaths, which are the bonds of human society, can have no hold upon an atheist." The Roman Church posed a more pernicious threat, because its followers gave allegiance to a foreign authority. Magistrates should not tolerate a church whose members are expected to give their obedience and loyalty to another leader.<sup>8</sup>

### **Augustan Anglicans in the Colonies on the Freedom of Religious Conscience**

Now let's hear from our eighteenth-century Anglicans. William Stith was born in Charles City, Virginia colony, about 1707. He was educated at *William and Mary College*, in Williamsburg, but like most Virginians at the time he returned to England for advanced studies. He entered Queen's College, Oxford, and he was ordained about 1730. He returned to Virginia and became parish priest, serving as rector of Henrico Parish in the diocese of Virginia. Stith also served as the third president of *William and Mary College*. There's a residence hall on the

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<sup>7</sup> Perry, "Locke's Accidental Church," 282.

<sup>8</sup> Perry, "Locke's Accidental Church," 284.

campus of *William and Mary* today named after him. Stith married Judith Randolph, and they had three daughters: Judith, Elizabeth, and Mary. Stith was Thomas Jefferson's cousin, and brother-in-law of William White who was one of the three first bishops ordained in the newly created Episcopal Church after the war. Stith died long before the war began, on September 19, 1755.

Stith wrote what is probably the earliest history of Virginia, entitled *The History of the First Discovery and Settlement of Virginia* (1747). Three of his sermons also survive, including one titled *The Sinfulness and Pernicious Nature of Gaming. A Sermon preached before the General Assembly of Virginia At Williamsburg, March 1<sup>st</sup>, 1752*. Did all those deputies to the General Assembly have gambling problems?

### **Stith's ideas on Toleration and Freedom of Religious Conscience**

Stith embraced Hooker's Anglican vision of comprehension. He repeatedly called his parishioners to greater allegiance to England's "mixed constitution" that "hath interwove and grafted religion into itself, and made the Church of England part of its constitution."<sup>9</sup> He preached that such a comprehensive constitution was "the strongest bulwark of the Protestant cause."<sup>10</sup> Stith approached church and politics the same way. He emphasized form in both; he abided by exclusionary principles in both, and he was guided by pragmatism in both. He shared an outlook with an entire generation of conscientious Anglicans who believed British people "might include heretics, sinners, even republicans, but as long as they showed up at church

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<sup>9</sup> Stith, *A Sermon preached before the General Assembly At Williamsburg, March 2, 1745-6. By William Stith, A. M., Rector of Henrico Parish. Published at the request of the House of Burgesses* (Williamsburg, 17460; cited in Stoermer, "An Entire Affection," 274-75.

<sup>10</sup> Stoermer, "An Entire Affection," 275.



regularly and did not create a fuss in it, all would be well in affairs of faith.”<sup>11</sup> Here are the foundations of his commitment to freedom of religious conscience. Stith later insisted that men’s inner convictions were matter that ought not to be inquired into “too nicely or critically.”<sup>12</sup>

Stith embraced and preached toleration. He minimized religious and political conflict, and emphasized theological commonality over ecclesial difference. He is on record embracing the Act of Toleration of 1689, which allowed freedom of worship to nonconformists who pledged allegiance to the Supremacy and were not Roman Catholics. Toleration obviously had its limits. It ought to be extended only to those who dissented from Anglican ecclesiology, not to those who held fundamentally different beliefs about Christian salvation.<sup>13</sup> Stith was consistent with Hooker and Locke on this point. He even described himself as sharing an intellectual approach with John Locke that consisted of the use of reason “assisted and improved” by diligent study of Scripture.<sup>14</sup>

### **Robert Morris**

Robert Morris, Jr., is much better known than William Stith. He was younger than Stith, born in 1734 in Liverpool, England. He settled in Pennsylvania Colony as a young man, and built on his family’s privileges to become a wealthy merchant. Morris quickly rose to the highest ranks of Pennsylvanian society, and from there it was an easy slide over into the ranks of the leaders of

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<sup>11</sup> Stoermer, “An Entire Affection,” 264–65.

<sup>12</sup> Stoermer, “An Entire Affection,” 264.

<sup>13</sup> Stoermer, “An Entire Affection,” 273.

<sup>14</sup> Stoermer, “An Entire Affection,” 273–74.

the new nation. Morris is known as the “Founding Father who Financed the Revolution.”<sup>15</sup> He signed the Declaration of Independence, the Articles of Confederation, and the Constitution. He was a delegate to the Second Continental Congress, where he chaired a committee with a great name: the “Secret Committee of Trade.” From 1781 to 1784, he was the new nation’s Superintendent of Finance, and he also served as the commander of the Continental Navy. Morris served six years as one of the first Senators from Pennsylvania. He liked big houses with lavish decorations—he owned several of them. He liked to entertain, and developed a reputation in social circles for throwing extravagant parties. Code at the time for those parties was “French parties.” Morris threw the best “French parties.”

But Robert Morris was also a committed Anglican churchman. His letters reveal an abiding trust in and appeal to “Divine Providence,” the “Great Being,” “The Ruler of the Universe.” He believed in and was concerned about his access to the afterlife. He prayed to God and he hoped “the little cherubs were looking after him.”<sup>16</sup> He was fiercely committed to the idea that religion upheld stability in society. He contrasts nicely to William Stith, that temperate and reserved rector and family man of the previous generation. But they are two different specimens of the same species, the Anglican leader in a time of crisis. Here’s a nice comparison: William Stith has a residence hall at *William and Mary* named after him; Robert Morris has two different universities named after him, one in Pittsburg and one in Carthage, Illinois.

Morris’s story doesn’t have a happy ending. As a cranky old merchant, he invested most of his fortune in a land deal, and then lost it all in the Panic of 1796. He went to debtors’ prison,

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<sup>15</sup> Robert Morris’s career has been thoroughly studied; his ideas less so. Here I rely heavily on M. Junkkarinen, “Reason and Religion during the Revolutionary Period: Robert Morris’ Views on Omnipotence and the Afterlife,” *Anglican and Episcopal History* 84 (2015): 416–38.

<sup>16</sup> Junkkarinen, “Reason and Religion,” 419.

but don't worry. His buddies in Congress passed a Bankruptcy Act specifically to get him out of prison. He was released in 1801, and after that he lived a quiet, private life in a tiny house in Philadelphia where he died in 1806.

### **Morris's ideas on Toleration and Freedom of Religious Conscience**

Dozens of Morris's letters are preserved in The Letterbooks of Robert Morris, in the Archives of the Historical Society of Pennsylvania, in the Huntington Library, and in other collections. The letters reveal his commitments to toleration and the freedom of religious conscience, and they deserve closer study. Some brief and summary examples of these commitments will have to suffice.

Robert Morris applauded and promoted the atmosphere of toleration in Pennsylvania. He considered his colony (and then state) far more tolerant than any state in Europe. He did not embrace some of his business associates' hostile attitudes to Roman Catholics and Quakers. An introductory study of Morris concluded like this: the Pennsylvanian merchant statesman backed religious liberty.<sup>17</sup>

There is clear evidence of a basic and influential, perhaps ruling motive for Morris's toleration. In several letters he confesses that he was tolerant of others for business reasons. Being a merchant in America in the eighteenth century meant, in most cases, holding a moderate attitude toward members of different sects. "Every inhabitant of the American colonies was a potential customer, so being tolerant was advantageous for business."<sup>18</sup> In mercantile circles, toleration was the accepted rule, because "money does not make a distinction between religious groups."<sup>19</sup> Morris, the faithful Anglican, had business associates and friends who were Roman

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<sup>17</sup> Junkkarinen, "Reason and Religion," 437.

<sup>18</sup> Junkkarinen, "Reason and Religion," 418.

<sup>19</sup> Junkkarinen, "Reason and Religion," 431.

Catholics, Jews, even Presbyterians! Morris was a clear supporter freedom of choice when it came to religious convictions.

While working on the land deal that torpedoed his fortune, Morris marketed American lands to European investors. In descriptions he sent to them, he praised the “Universal Toleration of Religious Worship and Opinions” of the new nation. If he had used glossy brochures, those words would have been printed in big block letters! Toleration was not only good for business; it was a fantastic marketing tool. Morris knew that members of some of the smaller, more radical sects wanted to found settlements in remote and isolated areas. He capitalized on that desire and used it in his plans to sell his vast tracts of land.<sup>20</sup>

## **Conclusions**

Robert Morris’s Anglicanism was robust in the sense that it was rowdy. He heartily enjoyed the material, even sensual fruits that his privileged state in life afforded him. William Stith’s Anglicanism was also robust, but in the other sense of being deeply felt, thoughtful, and formative of his actions in public life. Men like William Stith and Robert Morris came to the Virginia and Pennsylvania colonies not to escape religious persecution in England, but instead to transplant and perfect their English way of life.<sup>21</sup> They hoped most of all that a working relationship between their religion and their politics might promote public peace and prosperity. Reading Hooker and Locke they coordinated those two distinct realms, and thus aided in the arduous task of negotiating the challenges and even dangers they faced in building the new republic. Yes, their cadre included James Madison, George Washington, Richard Henry Lee, and Patrick Henry, but also a host of other lesser-known Anglican churchmen for whom toleration and the freedom of religious conscience were foundational convictions and practical attitudes.

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<sup>20</sup> Junkkarinen, “Reason and Religion,” 432.

<sup>21</sup> Dackson, “Richard Hooker and American Religious Liberty,” 126.

This cadre gives the lie to the claims of hotheaded patriots at the time of the war who depicted Anglican colonists as intolerant opponents and even persecutors of beliefs and practices that freedom-loving “real Christians” embraced.

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